

- 7) *Exhibit 1*, presenting "Gerhard Wenske, Dictionary of Chemistry - English/German, VCH, Weinheim, New York, Basel, Cambridge, page 13;
- 8) *Exhibit 2*, presenting U.S. Patent No. 4,659,657; and
- 9) *Exhibit 3*, presenting U.S. Patent No. 6,120,987.

**AMENDMENTS**

**IN THE SPECIFICATION:**

Please replace the specification by the Substitute Specification provided herewith as *Appendix D*.

**IN THE CLAIMS:**

Please amend Claims 1, 5, 7, 8, 9, 10, 13, 15, and 16 as follows:

*P1*  
*9/8/1*

1. (Thrice Amended) A conjugate for distinguishing cancerous or inflamed tissue from healthy tissue comprising a fluorescent moiety and a carrier, wherein the fluorescent moiety and the carrier are joined to one another via an acidic ester, an acidic amide bond or a Schiff base, and wherein said carrier is a protein.

*P2*  
*9/8/1*

4. (Twice amended) A conjugate for distinguishing cancerous or inflamed tissue from healthy tissue comprising a fluorescent moiety and a carrier, wherein the fluorescent moiety and the carrier are joined to one another via an acidic ester, an acidic amide bond or a Schiff base, wherein said carrier is a protein, and wherein the conjugate comprises a plurality of carriers.

*Q2 conclude* 5. (Twice Amended) The conjugate of claim 1, wherein the fluorescent moiety comprises an acid group, a hydroxyl group, an amino group or an aldehyde group.

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*Q3* 7. (Twice Amended) The conjugate of claim 18, wherein the excitation wavelength is 320 to 450 nm.

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*Q3* 8. (Twice Amended) The conjugate of claim 1, wherein the fluorescent moiety comprises a porphyrin, a chlorin, a bacteriochlorin, a chlorophyll, a phthalocyanine, a carboxy cinnamic acid, a carboxy cinnamic acid, a carboxyfluorescein, an acridic acid, a coumaric acid, or an indocyanine green.

9. (Twice Amended) A conjugate for distinguishing cancerous or inflamed tissue from healthy tissue comprising a fluorescent moiety and a carrier, wherein the fluorescent moiety and the carrier are joined to one another via an acidic ester, an acidic amide bond or a Schiff base, and wherein said carrier is a protein, and wherein the conjugate comprises a plurality of fluorescent moieties.

*Q3* 10. (Twice Amended) A method of producing the conjugate of claim 1, wherein the fluorescent moiety is covalently bonded to the carrier thereby forming the connector.

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*Q4* 13. (Amended) The conjugate of claim 1, wherein the protein is a serum albumin.

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15. (Amended) The conjugate of claim 1, wherein the fluorescent moiety has an excitation wavelength of 630 nm or greater.

16. (Amended) A composition comprising the conjugate of claim 1 and an acceptable carrier or excipient.

Please add new Claim 18:

18. (New) The conjugate of claim 1, wherein the fluorescent moiety has an excitation wavelength of 450 nm or less.